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Appl. No. : 09/855,340
Applicant : Hosted¹ et al.
Filed : May 15, 2001
TC/AU : 1636
Examiner : Walter Schlapkohl
Docket No. : IN01164K US
Confirm No. : 9296

**Declaration by Dr. Thomas Hosted, Jr. and Dr. Ann C. Horan
Under 37 C.F.R. § 1.131**

We, Dr. Thomas Hosted, Jr. and Dr. Ann C. Horan, co-inventors of the above-referenced patent application, declare as follows:

1. The *Xis* gene polynucleotide was isolated and the nucleotide sequence of the gene was identified to be as set forth in SEQ ID NO: 2 before the January 12, 2000 priority date of U.S. patent application publication no. 2004/0101832 and U.S. patent no. 6,861,513.
2. Enclosed exhibit A is a true copy of a page from co-inventor Hosted's laboratory notebook showing the sequence data referred to in paragraph 1 (dates redacted). The nucleotide and amino acid sequence labeled "Xis like" is the *Xis* sequence.
3. The *M. carbonacea* attP/attB region was isolated and the nucleotide sequence of the region was identified to be as set forth in SEQ ID NO: 6 before the January 12, 2000 priority date of U.S. patent application publication no. 2004/0101832 and U.S. patent no. 6,861,513.
4. Enclosed exhibit B is a true copy of a page from co-inventor Hosted's laboratory notebook showing the sequence data referred to in paragraph 3 (dates redacted). The notebook page of exhibit B includes a comparison between two nucleotide sequences. The

bottom sequence, from nucleotides 188 to 434, is the attP/attB region of SEQ ID NO: 6.

5. All the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Date: 3/2/2006

Thomas J. Hosted, Jr.
Thomas J. Hosted, Jr.

Date: 2/12/2006

Ann C. Horan
Ann C. Horan

EXHIBIT A

INCREASE REGION

XIS
like

— 174 —

ATT. 1

Invested
repeatedly

Redo analysis on
potential att P regions

Integrate region A Work
(25.50 top)

EXHIBIT B

30

Edge# custom (MWG) vs Edge#4 custom (Seqright)*

1	CCCTCGTACTCTCGATCGCGGTNCGGATGTGCTGTACGGGACCTGCCTGAGGAGGT CGA	60
61	CGAGGGGATCCTCGCGCGGATCGAGGAGGCGATGGCCGGCGTCCGGGCTGAGGACCTGGA	120
121	GGCGGAACTCGACGAGGAGCTGACGGAAGGTGTGGCCGAGCGCAGCATGATCAACTCTAGG	180
13	GGAGGGGTAGGGGAATCCACTCCGABAGCGCCCGGAGCAATCCGAGCATGACGGAGCAA	240
181	GGAGGGGTAGGGGAATCCACTCCGABAGCGCCCGGAGCAATCCGAGCATGACGGAGCAA	300
73	CCAGCAGGTCAAGTGGCCTGTGACCCCTGACGAGGCGCCCGGTACGGTTCAATTCCG	360
241	CCAGCAGGTCAAGTGGCCTGTGACCCCTGACGAGGCGCCCGGTACGGTTCAATTCCG	420
132	ATCAGTCACCCCTACACGAAAGCCGCTCCACTCGGAGGGGGCTTCGGCGTTCTTGAGG	480
301	ATCAGTCACCCCTACACGAAAGCCGCTCCACTCGGAGGGGGCTTCGGCGTTCTTGAGG	540
182	GTTCCGCGTCAGGCGGTGGGCTCGGCGGTGGGGGAATCGGCCCGTCCGCGGAGTGGCC	600
361	GTTCCGCGTCAGGCGGTGGGCTCGGCGGTGGGGGAATCGGCCCGTCCGCGGAGTGGCC	660
252	TGGCGTCCGGGAGGGGGTGGCGTCCGCGTCGTACGGGAGGGCGCTGGCGTTGACGTAC	720
421	TGGCGTCCGGGAGGGGGTGGCGTCCGCGTCGTACGGGAGGGCGCTGGCGTTGACGTAC	780
312	TGGTCCGAGCTCATGTTCCAGTCGCTCCAGCCGTTGGCGTTGGCGAGCTTACGTTCCGTTG	840
481	TGGTCCGAGCTCATGTTCCAGTCGCTCCAGCCGTTGGCGTTGGCGAGCTTACGTTCCGTTG	900
372	CCCTTGACGGTGATCGGGTGGCGGACCCGGGTGTTGTGGAACAGCCAGGCGCCGTTCT	960
541	CCCTTGACGGTGATCGGGTGGCGGACCCGGGTGTTGTGGAACAGCCAGGCGCCGTTCT	1020
430	TGATCGAGACGTTGACGCAAGCGTGGGAGACGTTGACGCTGCCCTGCTGGCCCTCGGACC	1080
601	TGATCGAGACGTTGACGCAAGCGTGGGAGACGTTGACGCTGCCCTGCTGGCCCTCGGACC	1140
490	-AGGGGGCGGGTGGATG-AAGTCGGCGGCCGAGGTGAGGGGCTGCGCGTAGTCGATCTT	1200
661	CAGGGGGCGGGTGGATG-AAGTCGGCGGCCGAGGTGAGGGGCTGCGCGTAGTCGATCTT	1260
549	CGTGGGTAACCTGCTCGGAGCCAGCTGCTCGAAGGTGTCAAAGACGCTCTTGCGTAGT	1320
608	TTCTCGATGAGCAACCATGTTCCGCTGGAGGAGGGCGTGGCTCTTGTGGCGAGGCTGAC	1380
668	GGGG	1440

pSP1H870-4 (See Notebook # 52870 pg 103)

840 PstI edge carb 4
(2071 bp)

Seqright vs Seqright B-2000000

* MWG + Seqright are the companies
from which the sequencing
data was obtained.